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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
1282.100

In Re Application Of: Michael J. Wilcox



Serial No.  
09/691,671

Filing Date  
10/18/2000

Examiner

Thompson, Kathryn L.

Group Art Unit  
3763

Invention: **C-SHAPED CROSS SECTION TUBULAR OPHTHALMIC IMPLANT FOR REDUCTION OF  
INTRAOOCULAR PRESSURE IN GLAUCOMATOUS EYES AND METHOD OF USE**

**TO THE COMMISSIONER FOR PATENTS:**

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 04/08/2004 finally rejecting Claim(s) 43, 44, and 47

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- is enclosed.
- has already been filed in this application.

The fee for this Notice of Appeal is: \$165.00

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No.

  
Signature

Dated:

April 30, 2004

Richard W. Hanes 19,530  
Hanes & Schutz, P.C.  
102 South Tejon Street, Suite 800  
Colorado Springs, CO 80903  
(719) 260-7900

I certify that this document and fee is being deposited on 04/30/2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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cc: Michael J. Wilcox

  
Signature of Person Mailing Correspondence

Vickie L. Hensley

Typed or Printed Name of Person Mailing Correspondence